

Billy Dale GREEN v. STATE of Arkansas

CR 04-1379

200 S.W.3d 898

Supreme Court of Arkansas
Opinion delivered January 13, 2005

APPEAL & ERROR — MOTION FOR RULE ON CLERK — GOOD CAUSE FOR GRANTING. — An admission by an attorney for a criminal defendant that the record was tendered late due to a mistake on his part is good cause to grant a motion for rule on the clerk.

Motion for Rule on Clerk; granted.

Steven M. Harper, Arkansas Public Defender Commission, for appellant.

No response

PER CURIAM. Appellant, Billy Dale Green, by and through his attorney, has filed a motion for a rule on the clerk. His

attorney, Steven M. Harper, states in his motion that the record was tendered late due to a mistake on his part. We find that such an error, admittedly made by an attorney for a criminal defendant, is good cause to grant the motion. See *In Re Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979) (*per curiam*).

[1] Therefore, the motion is granted. A copy of this opinion will be forwarded to the Committee on Professional Conduct.
